

**Baker & Hostetler LLP**

45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Keith R. Murphy  
Cara McGourty

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L.  
Madoff Investment Securities LLC and Bernard L.  
Madoff,

Plaintiff,

v.

ESTATE OF JACK SHURMAN; ESTATE OF  
HELEN SHURMAN; PAUL S. SHURMAN,  
individually, in his capacity as Executor of the  
Estates of Jack Shurman and Helen Shurman and as

Adv. Pro. No. 10-05028 (SMB)

beneficiary under the wills of Jack Shurman and Helen Shurman; and WILLIAM A. SHURMAN, individually, in his capacity as Executor of the Estates of Jack Shurman and Helen Shurman, and as beneficiary under the wills of Jack Shurman and Helen Shurman,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Estate of Jack Shurman, Estate of Helen Shurman, Paul S. Shurman, individually, in his capacity as Executor of the Estates of Jack Shurman and Helen Shurman and as beneficiary under the wills of Jack Shurman and Helen Shurman, William A. Shurman, individually, in his capacity as Executor of the Estates of Jack Shurman and Helen Shurman, and as beneficiary under the wills of Jack Shurman and Helen Shurman (collectively, “Defendants”), by and through their counsel, Carole Neville, Dentons US LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 2, 2010, the Trustee filed and served the Complaint against Defendants.
2. On April 17, 2014, Defendants served an answer on the Trustee.
3. On October 6, 2016, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with

prejudice of the Trustee's claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: November 21, 2016

**BAKER & HOSTETLER LLP**

By: /s/ Keith R. Murphy  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: 212.589.4200  
Facsimile: 212.589.4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Keith R. Murphy  
Email: kmurphy@bakerlaw.com  
Cara McGourty  
Email: cmcgourty@bakerlaw.com

*Attorneys for Plaintiff Irving H. Picard, Trustee for  
the Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**DENTONS US LLP**

By: /s/ Carole Neville

Carole Neville

Email: carole.neville@dentons.com

1221 Avenue of the Americas

New York, NY 10020

Telephone: (212) 768-6700

Facsimile: (212) 768-6800

*Attorneys for Defendants*

**SO ORDERED**

**Dated: November 21<sup>st</sup>, 2016**  
**New York, New York**

/s/ STUART M. BERNSTEIN  
**HONORABLE STUART M. BERNSTEIN**  
**UNITED STATES BANKRUPTCY JUDGE**